

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARK A. WARD,)
)
Plaintiff,)
)
v.) 1:03CV1124
)
KEYBANK NATIONAL ASSOCIATION,)
)
Defendant.)

JUDGMENT

OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED that Plaintiff's Motion to Remand [8] is **DENIED** and Defendant's Motion for Leave to Amend Notice of Removal [10] is **GRANTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [2] is **GRANTED**. Plaintiff's claim is dismissed with prejudice.

This the 10th day of May 2005.


United States District Judge